



Summary of Changes to the Rules and Regulations Governing Cottage Food Producers in the State of Colorado, 6 CCR 1010-15

This summary provides a synopsis of CDPHE textual changes resulting from Stakeholder Meeting #5 held March 1, 2016. The primary intent of this record is to capture the amendments to the regulation proposed by CDPHE and stakeholders.

CHANGE RECORD

Global Formatting - The overall format of the regulation comports with the Colorado Secretary of State style template.

Section	Line Number	Change Summary
Main Title Page	N/A	Added “ COTTAGE ” to title to read, “ RULES AND REGULATIONS GOVERNING THE PRODUCTION OF TIER 2 COTTAGE FOODS IN THE STATE OF COLORADO. ”
Table of Contents	N/A	Updated Table of Contents
Page 1 Title Page	N/A	Added “ COTTAGE ” to title to read, “ RULES AND REGULATIONS GOVERNING THE PRODUCTION OF TIER 2 COTTAGE FOODS IN THE STATE OF COLORADO. ”
Global Change	N/A	Changed “Cottage Foods” to “cottage foods” throughout. Changed “Tier 2” to “tier 2” throughout.
15.1	13-14	Added “, and represent the additional requirements for the production of tier 2 cottage foods.”
15.2(C)	36-39	Added new section that reads, “Tier 2 cottage food producers are not subject to the requirements of the Colorado Retail Food Establishment Rules and Regulations and the Wholesale Food Regulations Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food.”
15.4(A)(1)	52	Replaced “25-5-4” with “25-5-410”.
15.4(A)(6)	68	Added “live probiotic”.
15.4(A)(7)	72-74	Added “including”. Deleted “and those”, “from”, and “surfaces in contact with food” to read “ <u>Food Contact Surfaces</u> means those surfaces of equipment and utensils with which food normally comes in contact, including surfaces which food may drain, drip, or splash back onto.”
15.4(A)(12)	92-94	Added “equilibrium” and deleted “Pickled vegetables do not include salsas.”
15.4(A)(13)	96-100	Revised definition to read “ <u>Process Authority</u> means person(s) or organization(s) having expert knowledge of pickling processing requirements who examines the recipe for ingredients, preparation methods, product packaging and storage, and food safety precautions required to produce a safe product. A process authority must have access to facilities for making such determinations.”

15.4(A)(14)	102-103	Deleted <i>“equipment used in the production of these products, along with the products associated labels”</i> .
15.4(A)(16)	117-118	Added <i>“used for the production of tier 2 cottage foods”</i> and deleted <i>“or similar venue for sale directly to consumers”</i> .
15.4(A)(former 19)	N/A	Deleted definition of relish.
15.4(A)(19)	126-129	Changed definition from <i>“<u>Sanitization</u>”</i> to <i>“<u>Sanitizer</u>”</i> and updated definition to read <i>“Sanitizer means an effective bactericidal treatment by a product that is registered with the U.S. Environmental Protection Agency and provides enough concentration of chemicals for sufficient time to reduce the bacterial count, including pathogens, to a safe level.”</i>
15.4(A)(20)	131	Added <i>“food-grade”</i> .
15.4(A)(21)	134-135	Added <i>“process authority approved”</i> and deleted <i>“Standardized recipes shall include the common name of the product; the ingredients; the exact weight or volume of each ingredient; preparation instructions; cooking time and temperatures, if required; time necessary to achieve an equilibrium pH of 4.6 or lower; and serving size or recipe yield.”</i>
15.4(A)(23)	140-144	Deleted <i>“purchases and”</i> and <i>“This does not include internet sales, grocery stores, restaurants, and other licensed retail food establishments and food manufacturers.”</i>
15.5(A)	N/A	Deleted <i>“Reportable communicable disease and disease outbreaks shall immediately be reported to the Department.”</i>
15.5(B)	153-154	Added <i>“production”</i> and <i>“in a clean and sanitary condition and”</i> . Replaced <i>“rodents and insects”</i> with <i>“pests”</i> .
15.5(C)(2)	161-164	Deleted <i>“after handling soiled equipment or utensils”</i> and <i>“after engaging in other domestic activities such as personal cooking, laundry, smoking, eating, or telephone use”</i> . Replaced <i>“children”</i> with <i>“dependents”</i> and added <i>“if used”</i> . Section now reads <i>“After engaging in any activities that contaminate their hands and or exposed portions of their arms including but not limited to before leaving the restroom, after caring for animals or dependents, and before putting on single-use gloves, if used, and;”</i> .
15.5(C)(3)	166	Deleted <i>“be used in addition to but”</i> and added <i>“be used”</i> to read, <i>“Hand antiseptics/sanitizers may not be used in place of proper handwashing.”</i>
15.5(D)	169-170	Added <i>“appropriate for food production and”</i> .
15.5(E)	172-173	Added <i>“Food contact surfaces and utensils shall be”</i> and <i>“air dried”</i> to read <i>“Utensils and food contact surfaces shall be washed, rinsed, sanitized, and air dried before each use.”</i>
15.5(E)(1)	N/A	Deleted <i>“be registered with the Colorado Department of Agriculture,”</i> and <i>“and 40 CFR 180.940”</i> .
15.5(E)(3)	183	Added <i>“Sanitizers must be properly stored.”</i>
15.6	185	Replaced <i>“Labeling”</i> with <i>“Labels”</i> .

15.6(A)	187-188	Added “Tier 2” and “have an affixed label” and deleted “and include an affixed label” to read “Tier 2 cottage foods shall have an affixed label in accordance with the requirements outlines in Section 25-4-1614(3)(a), C.R.S., that includes:”
15.6(A)(1-7)	190-204	Updated sections to conform with the statute. Sections read “1. Identification of the product; 2. The producer’s name and address at which the food was prepared; 3. The producer’s current telephone number or electronic mail address; 4. The date on which the food was produced; 5. A complete list of ingredients; 6. Registration number, as issued by the Department; and 7. The following disclaimer: “This product was produced in a home kitchen that is not subject to state licensure or inspection and that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish. This product is not intended for resale.””
15.6(B)	N/A	Deleted entire section.
15.6(C)	N/A	Deleted entire section.
15.7(A)	208-210	Replaced “must” with “shall”, deleted “appropriate”, and added “as defined in 15.4(A)(25)”.
15.7(B)	212-214	Replaced “infer” with “imply” and deleted “or its authorized agents or employees”.
15.7(C)	217	Added “and/or website”.